

REMARKS

Claim 1 is amended to include the limitations of claim 8, which is now canceled, and independent claims 10 and 17 are similarly amended. The amendments are made for the purpose of expediting prosecution and not for patentability, and the claim cancellations are made without prejudice. Applicants reserve the right to pursue subject matter of the original claims (prior to amendment) and subject matter of the canceled claims in subsequent prosecution. Reconsideration and allowance of the application are respectfully requested.

The Office Action fails to show that claims 1-7 and 10-17 are anticipated by US patent 6,507,727 to Henrick ("Henrick") under 35 USC §102(e). The rejection is respectfully traversed because the Office Action fails to show that all the limitations of the claims are taught by Henrick. However, the claim is now moot in view of the amendments to claims 1, 10, and 17.

The Office Action does not establish that claims 8-9 are unpatentable under 35 USC §103(a) over Henrick. The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by Henrick and fails to provide a proper motivation for modifying the teachings of Henrick.

The limitations of claim 8, which are now in amended claims 1, 10, and 17, include selecting the station identifier of the transmitted broadcast segment from a stored list of station identifiers, wherein the stored list is stored in a memory arrangement of the communications device. The Examiner acknowledges that Henrick does not teach these limitations and alleges that "it would have been obvious ... to modify Henrick such that the user selected the station identifier from a stored list of station identifiers, wherein the stored list is stored in a memory arrangement of the communications device to allow the user to input the identifier more quickly." However, this alleged motivation relies on the claimed invention to support the modification. Henrick discusses various alternatives for input of a station identifier, and none of the alternatives is suggestive of a stored list. Specifically, Henrick explicitly discusses the user entering an identifier, such as with a keypad, or alternatively using voice recognition (col. 4, l. 30, l. 45-54). Thus, Henrick recognized specific alternatives for entering the station identifier but did not in any apparent manner suggest using a stored list of identifiers as claimed.

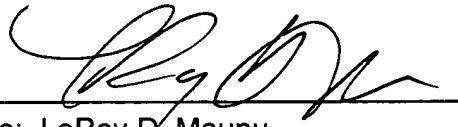
Therefore, the alleged motivation for modifying Henrick is conclusory and based on hindsight.

Claim 9 depends indirectly from claim 1 and is not shown to be unpatentable for at least the reasons set forth above.

Withdrawal of the rejections and reconsideration of the claims are respectfully requested in view of the remarks set forth above.

Respectfully submitted,

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